

1 PENELOPE A. PREVOLOS (CA SBN 87607)
 (PPrevolos@mofo.com)
 2 ANDREW D. MUHLBACH (CA SBN 175694)
 (AMuhlbach@mofo.com)
 3 HEATHER A. MOSER (CA SBN 212686)
 (HMoser@mofo.com)

4 MORRISON & FOERSTER LLP
 5 425 Market Street
 San Francisco, California 94105-2482
 6 Telephone: 415.268.7000
 Facsimile: 415.268.7522

7 Attorneys for Defendants
 8 APPLE INC.

9
 10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION

13 JACOB MEDWAY, Individually and on Behalf
 14 of All Other Persons Similarly Situated,

15 Plaintiff,

16 v.

17 APPLE, INC., a California Corporation,

18 Defendants.

Case No. C 09-00330 JSW

**NOTICE OF NEED FOR ADR
 TELEPHONE CONFERENCE**

Complaint filed: January 26, 2009

19
 20 Counsel report that they have met and conferred regarding ADR and that they:

21 ☒ have not yet reached an agreement to an ADR process

22 ☐ request an Early Settlement Conference with a Magistrate Judge

23
 24 **Date of Case Management Conference: May 8, 2009**

25
 26 Counsel anticipate that the above-captioned case will be related to and consolidated with
 27 the following cases:
 28

- *Ashikian v. Apple Inc., et al.*, No. C 08-05810 PVT;
- *Gillis v. Apple Computer, Inc., et al.*, No. C 09-00122 JF;
- *Keller v. Apple, Inc.*, No. C 09-00121 RMW;
- *Pittman v. Apple, Inc.*, No. C 08-05375 JW;
- *Tanseco v. Apple, Inc., et al.*, No. C 09-00275 RS; and
- *Walters v. Apple Inc., et al.*, No. C 09-00187 JF.

Accordingly, the parties believe it would be premature to hold an ADR phone conference at this time.

Dated: February 17, 2009

MORRISON & FOERSTER LLP

By: /s/ Penelope A. Preovolos
Penelope A. Preovolos

Attorneys for Defendant
APPLE INC.

Dated: February 17, 2009

GLANCY BINKOW & GOLDBERG
LLP

By: /s/ Marc L. Godino
Marc L. Godino

Attorneys for Plaintiff
JACOB MEDWAY

I, Penelope A. Preovolos, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, section X.B., I hereby attest that I have on file the concurrences for any signatures indicated by a “conformed” signature (/s/) within this efiled document.

By: /s/ Penelope A. Preovolos
Penelope A. Preovolos